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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,302	11/09/2001	Johann Herrmann	32860-000196	8998

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EXAMINER

NGUYEN, TRUC T

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,302

Applicant(s)

HERRMANN ET AL.

Examiner

Truc T. T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

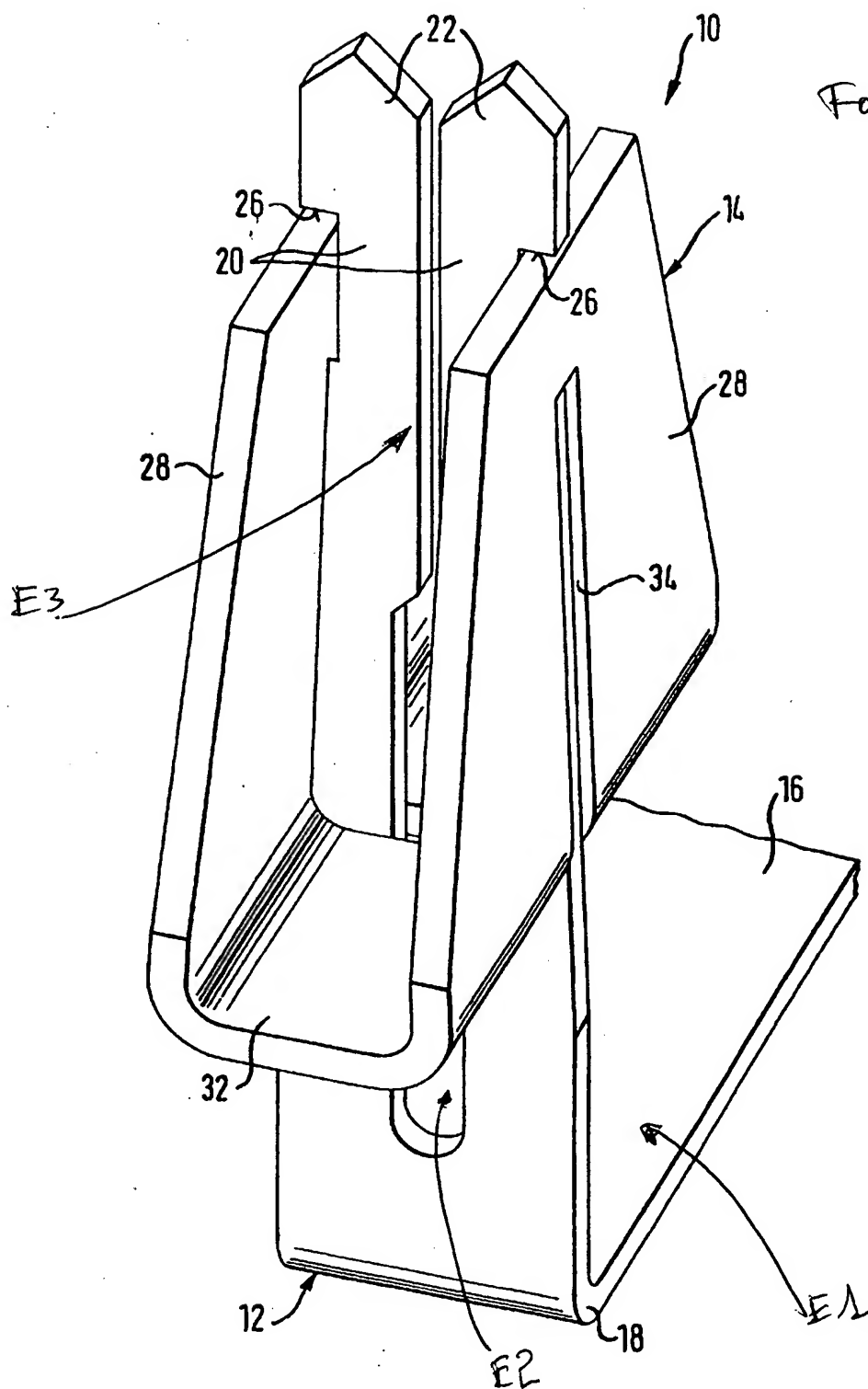
- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: *Examiner's attachment*.

FIG. 2

EXAMINER'S
ATTACHMENT
For 10/030302



DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 25 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Burmeister et al. (US 6,027,361).

Regarding claim 25, Burmeister et al. disclose an insulation displacement contact (10), comprising:

a bracket (E1), including a contact region (E2) therein; and

at least one spring clip (20) attached to the bracket, wherein the spring clip includes a cutting blade portion (E3) adapted to cut and located proximate to the contact region.

Regarding claim 27, Burmeister et al. disclose the one spring clip is located at an end of the bracket.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 28-29 and 31-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burmeister (US 6,027,361).

Regarding claims 28-29, Burmeister et al. do not disclose the bracket includes a contact slot and a spring clip at each end.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to duplicate the slot and the spring clip and provide at each end of the bracket, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Regarding claims 31-35, Burmeister et al. do not specifically disclose a connecting terminal or a terminal strip having at least one insulation displacement.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to duplicate the insulation displacement contact, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

5. Claims 26 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burmeister (US 6,027,361) as applied in claims 25 and 29 and further in view of Walter (DE 195,33,420).

Burmeister substantially disclose the claimed invention except for the cutting blade portion includes a v-shape region adapted to cut insulation of a conductor.

Walter teaches an insulation displace contact having a v-shape region (18, 19, see Figure 3) adapted to cut insulation of a conductor.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a v-shape region adapted to cut insulation of a conductor into Burmeister et al's contact, as taught by Walter for quick connection.

6. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burmeister et al (US 6,027,361) in view of Onoue (US 5,282,758).

Regarding claim 1, Burmeister et al. disclose an insulation displacement contact comprising:

a slotted (30), sprung contact region as a contact-making slot on a connecting bracket (12); and

an outer spring clip (14) surrounding and reinforcing the contact region.

Burmeister et al. do not disclose the spring clip forms an insulation displacement blade in at least one end region.

Onoue teaches an insulation displacement contact (1) having an outer spring clip (2) with an insulation displacement blade (12) forming an end region (11).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide an insulation displacement blade into Burmeister's spring clip, as taught by Onoue for holding a wire cable.

Regarding claim 2, the modified contact of Burmeister et al. discloses a blunt contact zone (E1, see Examiner's attachment).

Regarding claim 3, the modified contact of Burmeister et al. discloses the spring clip and blade are formed from a suitably hard material, and wherein the contact region is formed from electrically conductive material.

Regarding claims 4 and 9-10, the modified contact of Burmeister et al. discloses each connecting bracket forms a contact-making slot (30).

Regarding claims 5 and 11-12, the modified contact of Burmeister et al. discloses at least one of the spring clip and the connecting bracket are designed such that a limb (28) of the spring clip secure the contact-making slot in its position.

Regarding claims 6 and 13-14, the modified contact of Burmeister et al. discloses the end region is located in front of the contact region.

Regarding claims 7-8 and 15-24, Burmeister et al. in view of Onoue do not disclose a connecting terminal or a terminal strip having at least one insulation displacement.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to duplicate the insulation displacement contact, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

7. Claims 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burmeister et al (US 6,027,361) in view of Onoue (US 5,282,758) as applied in claim 1 and further in view of Walter (DE 195,33,420).

Burmeister substantially disclose the claimed invention except for the cutting blade portion includes a v-shape region adapted to cut insulation of a conductor.

Walter teaches an insulation displace contact having a v-shape region (18, 19, see Figure 3) adapted to cut insulation of a conductor.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a v-shape region adapted to cut insulation of a conductor into Burmeister et al's contact, as taught by Walter for quick connection.

Response to Arguments

6. Applicant's arguments with respect to claims 1-24 have been considered but are not persuasive. Because:

a) In response to applicant's argument on page 4, lines 10 to line 16 of page 6, the Examiner respectfully disagrees. The applicant claims the insulation displacement blade of the outer spring clip forming an entry region CAPABLE of cutting and located in front of the contact region. "Capable" means Having the ability required for a specific task¹. Onoue is silent about whether the entry region is able to cut. However, Onoue teaches a structure of the entry region is the same as the applicant's present invention. Therefore, it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitation. *Ex Parte Masham, 2 USPQ2d 1647 (1987)*.

b) in response to applicant's argument on page 6, line 17 to line 20 of page 7, the examiner respectfully disagrees. The Examiner recognizes that references cannot be arbitrarily combined and that there must some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. *In re Nomiya, 184 USPQ*

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607 (CCPA 1975). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references is that the combination of disclosures taken as a whole would suggest to one of ordinary skill in the art. *In re McLaughlin*, 170 USPQ 209 (CCPA 1971). References are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures. *In re Bozek*, 163 USPQ 545 (CCPA 1969).

c) In response to applicant's argument, on page 7, lines 11-16, the Examiner respectfully disagrees. Onoue discloses the wire holding member has a structure which could be functioned as an insulation displacement. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitation. *Ex Parte Masham*, 2 USPQ2d 1647 (1987).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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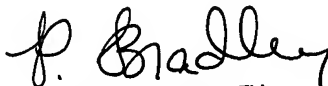
however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. T. Nguyen whose telephone number is 703-306-4004. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on 703-308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

T. Nguyen
March 24, 2003


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